

Our family farming operation in northwest Oklahoma has about 1000 head of stocker cattle pass through it each year. We buy calves when they are around 400 pounds and sell them when they are between 800 and 1000 pounds. I support the establishment and implementation of a national animal identification system capable of providing support for animal disease control and eradication, as well as enhancing food safety. The identification system will be an important tool in maintaining consumer confidence in our food production systems. Animal ID will help consumers and the food chain link to the farm. Which is important for maintaining consumer confidence and restoring international markets. Animal ID will also provide an important management tool and facilitate country-of-origin labeling, which producers and consumers both want. However, implementation of an animal ID system is an enormous task and we should not rush a flawed system into place. The United States has 95 million cattle and calves owned by more than one million cow and calf producers, 60 million hogs, six million sheep and lambs, and more than 700 million chickens and turkeys. Many issues related to a national animal ID program are still unresolved. Two things are for sure, the identification of animals should not be required until movement from the original registered premise and all imported animals should be permanently identified regarding their country of origin upon entry into the United States. Driving complexity and cost out of Animal ID needs to be our goal as producers. I am concerned about the 3 Cs; Complexity, Cost and Confidentiality.

Currently the proposed Animal ID system is much too complex. Simple is always better. On our operation, minimizing labor, time and stress on the animals is very important. Too much complexity will hurt all producers but small family farms will be hit the hardest. The average cow-calf herd in the U.S. is 20 cows. In addition to monetary costs, implementing an ID system will also mean increased time and labor associated with raising livestock. This may cause some small producers to get out of the business. If the system is too complicated and costly some producers may sell their cows reducing the supply of cattle and raising meat prices in the grocery store. We are worried that the increased time, labor and cost of an overly complicated system will cause many of the small producers (less than 20 cows) that supply us with calves to get out of the business. These producers work off the farm or mainly produce another commodity and just have a few cows on the side. If they find the new system overly burdensome it may no longer be worth it to them to have cows.

Another concern we have with the complexity of the proposed system is the requirement that every legal land description that houses livestock have a Premise ID number. In our part of the country everything is split into sections with a road every mile. Because of this, normal sized operations would be required to have many different Premise IDs. In our operation, for example, we would have at least 10 different Premise IDs. And during the time that we own a calf they are likely to pass through at least four different legal land descriptions and therefore four different Premise IDs. This scenario is not unique to our operation, most cattle operations in this part of the country would tell you a similar story. I am sure that you can see that having to report the movement of cattle within our own operation would cause a paperwork nightmare and I can see no benefit to requiring such a system. We believe that assigning a Premise ID for our entire operation would be a much simpler and more efficient solution and would also be just as effective as the current proposal in ensuring animal health and food safety. As I stated earlier, minimizing labor, time and stress on the animals is very important, so is minimizing paperwork. The proposal states that the change of premise of an animal must be reported within 24 hours, how would this be accomplished, is there a system in place?

How much will animal identification cost and who will pay the price? The price tag for a national ID system could run as high as \$100 million annually. The administration's fiscal year 2005 agriculture budget requested \$33 million to fund activities for system implementation. This level of funding is insufficient to obtain satisfactory producer participation in a voluntary program. Our ability to move forward with a system depends on adequate and equitable funding. Producers cannot and should not bear an unfair share of the costs of establishing or maintaining an animal ID system. Unlike most other businesses, livestock producers do not have the ability to pass the increased input costs associated with the ID system on to the buyers of our products. We can't demand higher prices for our products; we must take the commodity market price. I believe the system will be funded using a combination of public and private funding. Because of the benefit to the public at large much of the funding should be supported by public funds. The system will be a benefit to the public at large as it will provide an added layer of protection to our already best in the world food safety system. The program should be as simple and inexpensive as possible for producers to implement.

Who has access to the data used in the NAIS, and how can producers be assured protection from unintended use of the data they submit? The program should ensure the security of producer information and respect the privacy of producers by only collecting data necessary to establish a trace-back system. Agricultural producers want to make sure that our confidential business information is not released. Legislation will be needed to ensure the privacy of producers' information submitted to the NAIS. Producers must be protected from public disclosure under the Freedom of Information Act (FOIA). Otherwise, competitors or activist groups could exploit proprietary information. Furthermore, there must be clarity on which state and federal agencies will have access to the data. Information should be made available only to the proper animal health authorities in the event of an animal disease incident. Any unauthorized use of a producer's NAIS information should constitute a felony.

Any ID program must protect producers from liability for acts of others after livestock leaves the producers' hands, including nuisance suits naming everyone who handled particular livestock. Producers should not be punished for trying to ensure the health and well being of their animals. Are producers appropriately protected from the consequences of the actions of others, after their animals are no longer in their own control? Many producers worry that with the availability of an effective traceability system, they might be forced to share liability for food safety problems that are now limited to meat merchandisers. In order to prevent this scenario from occurring, Congress should pass legislation defining the duty of care required of a livestock producer as "ordinary care." The legislation should provide a rebuttable presumption in litigation involving livestock products. The intent is to provide producers a rebuttable presumption – not immunity – that the product is wholesome, sound, unadulterated, and fit for human consumption if it passed federal or state inspection. The presumption will serve as evidence that the producer whose animal passed inspection has met the duty of care owed to the public – ordinary care.